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SOUTHERN DISTRICT OF CALIFORNIA

BY:

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DEPUTY

**CASE UNSEALED PER ORDER OF COURT**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

February 2012 Grand Jury

UNITED STATES OF AMERICA,  
Plaintiff,

v.

YONAS FIKRE (1),  
DAWIT WOLDEHAWARIAT (2),  
ABREHAILE HAILE (3),  
Defendants.

Case No.

12 CR 168 JAH

I N D I C T M E N T

Title 18, U.S.C., Sec. 371 -  
Conspiracy; Title 31 U.S.C.,  
Sec. 5324(a)(3) - Structuring;  
Title 18, U.S.C., Sec. 2 -  
Aiding and Abetting; Title 26,  
U.S.C., Sec 2703 - Failure to  
File a Tax Return

The grand jury charges:

Count 1

CONSPIRACY TO STRUCTURE

Introduction

1. Defendants YONAS FIKRE ("FIKRE") and DAWIT WOLDEHAWARIAT ("WOLDEHAWARIAT") are brothers, and have previously conducted business together. Defendant WOLDEHAWARIAT resides in San Diego, California.

2. In or about December 2009, defendant FIKRE traveled from the United States to Sudan.

3. Defendants FIKRE and WOLDEHAWARIAT agreed to transfer tens of thousands of dollars from the United States to the United Arab Emirates to have the money available for use in Sudan or elsewhere. Defendants WOLDEHAWARIAT and FIKRE wanted to conceal from the United States their connection to the money transfers.

CPH:lml:San Diego  
5/1/12

*[Handwritten signature]*



- 1           b.    On or about April 14, 2010, defendant WOLDEHAWARIAT  
2               placed a telephone call in which he asked defendant  
3               HAILE to transfer approximately \$75,000 without  
4               identification or a social security number for  
5               defendants WOLDEHAWARIAT and FIKRE;
- 6           c.    On or about April 14, 2010, defendant HAILE provided  
7               defendant WOLDEHAWARIAT with a Bank of America account  
8               number into which defendant WOLDEHAWARIAT was to  
9               deposit funds to be transferred by defendant HAILE;
- 10          d.    On or about April 14, 2010, defendant WOLDEHAWARIAT  
11               deposited \$7,000 in U.S. currency into the bank  
12               account provided to him by defendant HAILE;
- 13          e.    On or about April 15, 2010, defendant WOLDEHAWARIAT  
14               deposited \$7,000 in U.S. currency into the bank  
15               account provided to him by defendant HAILE;
- 16          f.    On or about April 15, 2010, defendant HAILE instructed  
17               defendant WOLDEHAWARIAT to make another deposit into  
18               the same bank account, stating, "Divide the money into  
19               small amount and deposit it";
- 20          g.    On or about April 19, 2010, defendant WOLDEHAWARIAT  
21               deposited \$7,000 in U.S. currency into the bank  
22               account provided to him by defendant HAILE;
- 23          h.    On or about April 22, 2010, defendant HAILE provided  
24               defendant WOLDEHAWARIAT with a second bank account  
25               number into which defendant WOLDEHAWARIAT was to  
26               deposit money.

27 All in violation of Title 18, United States Code, Section 371.

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Count 2STRUCTURING

From on or about April 14, 2010, and continuing to on or about April 19, 2010, within the Southern District of California, defendants YONAS FIKRE, DAWIT WOLDEHAWARIAT, and ABREHAILE HAILE did knowingly and for the purpose of evading the reporting requirements of Section 5313(a) of Title 31, United States Code, and the regulations promulgated thereunder, structure or attempt to structure transactions with one or more domestic financial institutions; in violation of Title 31, United States Code, Section 5324(a)(3) and Title 31, Code of Federal Regulations, Sections 103.11 and 103.22(b)(1) (now codified as Title 31, Code of Federal Regulations, Sections 1010.100 and 1010.311), and Title 18, United States Code, Section 2.

Count 3FAILURE TO FILE A TAX RETURN

During calendar year 2009, defendant DAWIT WOLDEHAWARIAT, who was a resident of San Diego, California, had and received a gross income in excess of \$26,000. By reason of such gross income, he was required by law, following the close of the calendar year 2009 and on or before April 15, 2010, to make an income tax return to the Internal Revenue Service Center, at San Diego, California, to a person assigned to receive returns at the local office of the Internal Revenue Service at San Diego, California, or to another Internal Revenue office permitted by the Commissioner of Internal Revenue, stating specifically the items of his gross income and any deductions and credits to which he was entitled. Well knowing and believing all of the foregoing, he did willfully fail, on or about April 15, 2010, within the Southern District of California and elsewhere, to make an



1 income tax return; in violation of Title 26, United States Code,  
2 Section 7203.


3 Count 4

4 FAILURE TO FILE A TAX RETURN

5 During calendar year 2010, defendant DAWIT WOLDEHAWARIAT, who was  
6 a resident of San Diego, California, had and received a gross income  
7 in excess of \$29,000. By reason of such gross income, he was required  
8 by law, following the close of the calendar year 2010 and on or before  
9 April 15, 2011, to make an income tax return to the Internal Revenue  
10 Service Center, at San Diego, California, to a person assigned to  
11 receive returns at the local office of the Internal Revenue Service  
12 at San Diego, California, or to another Internal Revenue office  
13 permitted by the Commissioner of Internal Revenue, stating  
14 specifically the items of his gross income and any deductions and  
15 credits to which he was entitled. Well knowing and believing all of  
16 the foregoing, he did willfully fail, on or about April 15, 2011,  
17 within the Southern District of California and elsewhere, to make an  
18 income tax return; in violation of Title 26, United States Code,  
19 Section 7203.


20 DATED: May 1, 2012.

21 A TRUE BILL:

22   
23 Foreperson

24 LAURA E. DUFFY  
25 United States Attorney

26 By:

27   
28 CAROLINE P. HAN  
Assistant U.S. Attorney